

APR 04 2008

# FACSIMILE COVER SHEET

*The Law Offices of*  
**STRAUB & POKOTYLO**

788 Shrewsbury Avenue  
Tinton Falls, NJ 07724

Telephone: 732-936-1400  
Facsimile: 732-936-1401  
Internet site: www.sp-ip.com

To: U.S. Patent and Trademark Office

Facsimile No.: (571) 273-8300

From: John C. Pokotylo, Esq.

Date: April 4, 2008

Number of Pages Including Cover: 13

MESSAGE: FORMAL SUBMISSION OF:

- 1) Transmittal (1 pg.);
- 2) Fee transmittal (1 pg.) (in duplicate);
- 3) Request for a One (1) Month  
Extension of Time (2 pgs.); and
- 4) Request for Reconsideration (7 pgs.).

Attorney Docket No.: Agere-6 (Baines 1-3-7)

Appl. No.: 10/663,209

Applicants: Donald A. BAINES, et al.

Filed: September 16, 2003

Title: SCANNING OPTICAL MOUSE

TC/A.U.: 2629

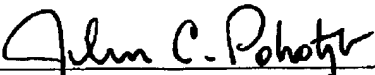
Examiner: Tammy T. Pham

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (and any accompanying paper(s))  
is being facsimile transmitted to the United States Patents and  
Trademark Office on the date shown below.

John C. Pokotylo

Type or print name of person signing certification

  
Signature

April 4, 2008  
Date

STRAUB & POKOTYLO  
788 Shrewsbury Avenue  
Tinton Falls, NJ 07724

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper (and any accompanying paper(s)) is being facsimile transmitted to the United States Patent Office on the date shown below.

John C. Pokotylo


Type or print name of person signing certification

John C. Pokotylo  
Signature

April 4, 2008  
Date

RECEIVED  
CENTRAL FAX CENTER

APR 04 2008

Please type a plus sign (+) inside this box --> 

Modified PTO/SB/21 (08-00)

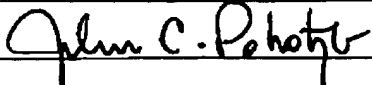
Approved for use through 10/31/2002, OMB 0651-0031

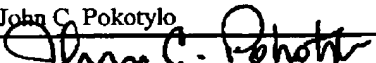
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>	Application Number	10/663,209
	Filing Date	September 16, 2003
	First Named Inventor	Donald A. BAINES
	Group Art Unit	2629
	Examiner Name	Tammy T. Pham
Total Number of Pages in This Submission	Attorney Docket Number	Agere-6 (Baines 1-3-7)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Postcard Receipt <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	John C. Pokotylo (Reg. No. 36,242)
Signature	
Date	April 4, 2008

CERTIFICATE OF FACSIMILE			
I hereby certify that this correspondence is being facsimile transmitted to the United States Patents and Trademark Office on this date: <span style="border: 1px solid black; padding: 2px;">April 4, 2008</span>			
Typed or printed name	John C. Pokotylo	Signature	
		Date	April 4, 2008

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

RECEIVED  
CENTRAL FAX CENTER

APR 04 2008

Modified PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2007

Effective 09/30/2007. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 120.00)

## Complete if Known

Application Number 10/663,209  
Filing Date September 16, 2003  
First Named Inventor Donald A. BAINES  
Examiner Name Tammy T. Pham  
Art Unit 2629  
Attorney Docket No. Agere-6 (Baines 1-3-7)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

50-1049

Straub &amp; Pokotylo

The Commissioner is authorized to: (check all that apply)

☒ Charge any underpayment of fee(s) indicated below ☒ Credit any overpayments

☒ Charge any fee(s) due in connection with the filing submitted herewith

☒ Charge fee(s) indicated below, except for the filing fee in the to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING, SEARCH & EXAMINATION FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1030	515	Utility fee	
440	220	Design fee	
680	340	Plant fee	
1440	720	Reissue fee	
210	105	Provisional fee	
SUBTOTAL (1)			(\$ 0.00)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid  
Total Claims 20\*\* = ☐ X ☐ = ☐  
Independent Claims 3\*\* = ☐ X ☐ = ☐  
Multiple Dependent ☐ = ☐

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>	
1202	50	2202	25	Claims in excess of 20
1201	210	2201	105	Independent claims in excess of 3
1203	370	2203	185	Multiple dependent claim, if not paid
1204	210	2204	105	**Reissue independent claims over original patent
1205	50	2205	25	**Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater, For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	120.00
1251 120	2251 60	Extension for reply within first month	
1252 480	2252 230	Extension for reply within second month	
1253 1,050	2253 525	Extension for reply within third month	
1254 1,640	2254 820	Extension for reply within fourth month	
1255 2,230	2255 1,115	Extension for reply within fifth month	
1401 510	2401 255	Notice of Appeal	
1402 510	2402 255	Filing a brief in support of an appeal	
1403 1,030	2403 515	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 510	2452 255	Petition to revive - unavoidable	
1453 1,540	2453 770	Petition to revive - unintentional	
1501 1,440	2501 720	Utility issue fee (or reissue)	
1502 820	2502 410	Design issue fee	
1503 1,130	2503 565	Plant issue fee	
Petitions to the Commissioner - check fee sheet			
1807 50	1807 50	Processing fee under 37 CFR 1.17(c)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 810	2809 405	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 810	2810 405	For each additional invention to be examined (37 CFR 1.129(b))	
1801 810	2801 405	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 120.00)

## SUBMITTED BY

Name (Print/Type) John C. Pokotylo Registration No. 36,242 Telephone (732) 936-1400  
Signature *John C. Pokotylo* (Attorney/Agent) Date April 4, 2008

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231.